

**Enrolled Minutes of the Ninety-eighth Regular or Special Meeting  
For the Twenty-Eighth Highland Town Council  
Regular Plenary Meeting  
Monday, September 23, 2019**

The Twenty-Eighth Town Council of the Town of Highland, Lake County, Indiana met in a regular meeting on Monday, September 23, 2019 6:35 O'clock P.M. in the regular place, the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana.

Pursuant to HMC Section 2.05.130(A)(2), the Town Council considered and reviewed the agenda in an informal proceeding conducted in the anteroom to the plenary meeting room. Once completed the Town Council moved to the plenary meeting room. Silent roll call confirmed that Councilors Bernie Zemen, Mark Herak, Dan Vassar, Konnie Kuiper and Steve Wagner were present and there was a quorum.

The Town Council President, Steve Wagner presided at the plenary meeting. The Town Clerk-Treasurer, Michael W. Griffin, was present to memorialize the proceedings. The meeting was opened with Councilor Dan Vassar reciting the Pledge of Allegiance to the Flag of the United States of America and offering a prayer.

**Roll Call:** Present on roll call were Councilors Bernie Zemen, Mark Herak, Dan Vassar, Konnie Kuiper and Steve Wagner. The Clerk-Treasurer, Michael W. Griffin was present to memorialize the proceedings. A quorum was attained.

**Additional Officials Present:** Rhett L. Tauber, Esq., Town Attorney; John M. Bach, Public Works Director; Peter Hojnicki, Metropolitan Police Chief; Alex M. Brown, CPRP, Superintendent of Parks and Recreation; William R. Timmer, Jr., CFOD, Fire Chief; Kenneth J. Mika, Building Inspector; and Kathy DeGuilio-Fox, Redevelopment Director; were present.

*Also present:* Larry Kondrat of the Board of Waterworks Directors; Ed Dabrowski IT Director (Contract); Ron Jackowski, Tree Advisory Board; and Tim Huizenga of the Shared Ethics Advisory Board were also present.

*Guest:* Robin Carlascio of the Idea Factory was also present.

**Minutes of the Previous Meetings:** The minutes of the regular plenary meeting of 09 September 2019 were approved by general consent.

**Special Orders:**

**1. Consideration of Proposed Additional Appropriations:** (controlled funds): Proposed Additional Appropriations in Excess of the 2019 Budget for the Redevelopment Capital Fund in the amount of \$2,000.

(a) *Attorney verification of Proofs of Publication:* The TIMES 11 September 2019. The Town Attorney verified the that the proof of publication complied with IC 5-3-1.

(b) **Public Hearing.** The Town Council President called the public hearing to order.

1. Larry Kondrat, 8115 4<sup>th</sup> Place East, Highland, sought clarification regarding what the grant proceeds supported. He was advised that it was for sign way finding on the bike trail.

There were no further comments written or spoken. The Town Council President closed the public hearing.

- (c) Action on **Appropriation Enactment No. 2019-40**: An Enactment Appropriating Additional Moneys in Excess of the Annual Budget for the Redevelopment Capital Fund, all pursuant to I.C. 6-1.1-18, and I.C. 36-5-3-5.

Councilor Herak introduced and moved the consideration of Enactment No. 2019-40 at the same meeting of its introduction. The motion was seconded by Councilor Vassar. Upon a roll call vote, a unanimous vote being required, there were five affirmatives and no negatives. The motion passed. The enactment could be considered at the same evening of its introduction.

Councilor Herak moved the passage and adoption of Enactment No. 2019-40 at the same meeting of its introduction. The motion was seconded by Councilor Vassar. Upon a roll call vote, a two-thirds vote being required, there were five affirmatives and no negatives. The motion passed. The enactment was passed and considered at the same evening of its introduction.

**Town of Highland  
APPROPRIATION ENACTMENT  
Enactment No. 2019-40**

**An Enactment Appropriating Additional Moneys in Excess of the Annual Budget for the Redevelopment Capital Fund, all pursuant to I.C. 6-1.1-18, I.C. 36-5-3-5, et seq.**

**WHEREAS**, Following a public hearing advertised pursuant to I.C. 5-3-1, it has been determined that it is now necessary to appropriate more money than was appropriated in the annual budget for the **Sanitation and Solid Waste Management Department of the Special Sanitary District Operating Fund**;

**WHEREAS**, It has been determined that such additional appropriations as may be approved by this enactment, will not increase the levy set under I.C. 6-1.1-17, all pursuant to I.C. 36-5-3-5;

**NOW, THEREFORE BE IT ENACTED** by the Town Council of the Town of Highland, Lake County, Indiana, as follows:

**Section 1.** That for the expenses of said municipality, the following additional sums of money are hereby appropriated and ordered set apart out of the **Redevelopment Capital Fund** and for the purposes herein specified, subject to the laws governing the same:

REDEVELOPMENT CAPITAL FUND

Increase the following:

096-0000-42012 Legacy Art on Trails Grant Project:		<u>\$ 2,000.00</u>
	Total Capital:	<u>\$ 2,000.00</u>
TOTAL for the FUND:		<u>\$ 2,000.00</u>

**Section 2.** That the Clerk-Treasurer is hereby authorized and instructed to inform the Indiana Department of Local Government Finance of this action and that these moneys be made available for expenditure **subject to an order** of the Commissioner, pursuant to IC 6-1.1-18.

**Section 3.** That in satisfaction and for the purposes of the provisions set out in I.C. 36-5-2-9.6, I.C. 36-5-3-5, I.C. 36-5-4-2, this enactment shall be deemed properly filed and introduced before the Town Council at a regular or special meeting, properly called and convened pursuant to I.C. 5-1.5-14 *et seq.*

Introduced and Filed on the 23<sup>rd</sup> Day of September 2019. Consideration on the same day or at same meeting of introduction sustained a vote of 5 in favor and 0 opposed, pursuant to IC 36-5-2-9.8.

**DULY ORDAINED AND ADOPTED** this 23<sup>rd</sup> Day of October 2019, by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 5 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of  
HIGHLAND, INDIANA**

/s/Steve Wagner, President (IC 36-5-2-10)

**ATTEST:**

/s/Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO  
Clerk-Treasurer (IC 33-42-4-1; IC 36-5-6-5)

2. **Highland Acknowledgement of Shared Ethics Advisory Commission Work product.** Tim Huizenga, Highland's representative to the Shared Ethics Commission, to offer brief overview of employee ethics survey.

Pastor Huizenga presented a cursory review of the recently published report on the biannual employees ethics survey. He commended the results presented for Highland in the survey. He further noted that the Shared Ethics Advisory Commission is seeking a new website and would be issuing ethics pledges for the municipal election.

3. *Donation Acknowledged and Received.* With leave from the Town Council, Mr. Virgil Popp, representing the Knights of Columbus, Council 8080 MSGR. Alvin Jasinski Lodge, presented a check to the Fire Chief as a donation to be used by the Fire Department for Fire Department purposes.

The Town Council President thanked Mr. Popp.

#### **Unfinished Business and General Orders:**

1. **Introduced Ordinance No. 1704:** An Ordinance To Amend Chapters 8.20 And 8.25 Of The Highland Municipal Code Extending The Reach Of The Tree Board's Role Beyond Street Parkways To Enable Its Recommendations For Approved And Unapproved Tree Species On Private And Publicly Owned Property. *(Councilor Herak introduced and filed the ordinance at its meeting of Monday, August 26, 2019. There was no further action.) If the ordinance is favorably acted upon, the Town Council should review a resolution with certain proposals under IC 36-7-4 et seq regarding relevant changes suggested from the several iterations of this ordinance. At meeting of September 9, 2019 the matter was deferred to Study Session of 16 September 2019, where further markup occurred.*

A brief review of the changes to the introduced ordinance were summarized by the Clerk-Treasurer.

Councilor Herak moved to adopt the introduced Ordinance No. 1704. Councilor Zemen seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The ordinance was adopted.

**ORDINANCE No. 1704  
of the  
TOWN OF HIGHLAND, INDIANA**

**AN ORDINANCE TO AMEND CHAPTERS 8.20 AND 8.25 OF THE HIGHLAND MUNICIPAL CODE EXTENDING THE REACH OF THE TREE BOARD'S ROLE BEYOND STREET PARKWAYS TO ENABLE ITS RECOMMENDATIONS FOR APPROVED AND UNAPPROVED TREE SPECIES ON PRIVATE AND PUBLICLY OWNED PROPERTY**

**WHEREAS**, The Town Council desires to promote planting, maintenance, and survival of desirable tree species to protect public health, safety and general welfare which may be affected by improper planting, maintenance, removal of trees located within the Town; and

**WHEREAS**, Earlier versions of ordinances applicable to the planting and care of trees limited the role of the Tree Advisory Board to only trees located on street parkways; and

**WHEREAS**, The purpose of this ordinance is to update language in the municipal code to extend the reach of the Tree Board's role beyond street parkways to enable its recommendations for approved and unapproved tree species on both private and publicly owned property.

**NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY** the Town Council of the Town of Highland, Lake County, Indiana, as follows:

**Section 1.** That Section 8.20.080 the Highland Municipal Code is hereby repealed in its entirety and is hereby amended with a new section to be styled as Section 8.20.080, which shall read as follows:

**8.20.080 Prohibited species.**

(A) All trees that will grow to exceed 20 feet in height shall not be planted below utility lines. The table at Exhibit A presents a list of not approved and approved species.

(B) The Highland Tree Board whose powers and duties are provided in CHAPTER 8.25 of the Municipal Code shall administratively create and periodically update a list of prohibited and approved tree species, which shall be in writing, shall include categories prohibited, allowed in all areas and limited to public parks and such other categories as the board may deem necessary or desirable.

(C) The tree species list as promulgated from time to time shall be filed with the Office of the Clerk-Treasurer and the Public Works Director. The list shall be made available for public inspection.

Exhibit A

**Species of Trees Not Approved and**

NOT APPROVED	APPROVED SPECIES (ANYWHERE)			PARKS ONLY
	Large Trees	Medium Trees	Small Trees	
ALANTHUS	BALDCYPRESS	ALDER	AMERICAN REDBUD	CHESTNUT-CHINESE
AMORBIAB	BEECH-AMERICAN	AMUR MAACKIA	BUCKEYE-RED	MAGNOLIA-CUCUMBER
ASH-EMERALD	BEECH-EUROPEAN	BIRCH-RIVER	DOGWOOD-SPP	Medium Trees
ASH-GREEN	BLACK LOCUST	BIRCH-WHITE	HAWTHORN-COCKSPUR	GOLDEN RAIN
ASH-WHITE	BUCKEYE-OHIO	BLACKGUM	HAWTHORN-SPP	MOUNTAIN LAUREL
BOXELDER	BUCKEYE-YELLOW	ELM-CHINESE	LILAC-TREE	PEAR CRABAPPLE
BUCKTHORN	CATALPA	HARDY RUBBER TREE	ROSE OF SHARON	SPYRTHRASS
BURNING BUSH	DAWN REDWOOD	HAZELNUT-TURKISH	SERVICEBERRY-SPP	SPRING SON FLOWER
CHERRY-BLACK/PIN	ELM-AMERICAN	HORNBEAM-AMERICAN	SMOKETREE	Small Trees
COTTONWOOD	GINKGO	HORNBEAM-EUROPEAN		APPLE-EDIBLE
ELM-AMERICAN	HACKBERRY	IRONWOOD		CHERRY-ORNAMENTAL
ELM-SIBERIAN	HICKORY-SPP	KATSURA		LILAC-SHRUB
HONEYSUCKLE	HONEYLOCUST	MAPLE-HEDGE		MAGNOLIA-SALICER
MAPLE-NORWAY	HORSECHESTNUT	MAPLE-MIYABEI		MAPLE-AMUR
MAPLE-SILVER	KENTUCKY COFFEE TREE*	MAPLE-SPAPERBARK		MAPLE-JAPANESE
MULBERRY-SPP	LARCH	MAPLE-SUGAR		PEACH/NECTARINE
PEAR-GALLERY	LINDEN-AMERICAN	MAPLE-SHINY		PLUM-SPP
POPLAR-SPP	LINDEN-LITTLELEAF	MAPLE-TRIPLE		WITCH HAZEL
POPLAR-WHITE	LONDON PLANETREE	OAK-CHINESE/JAPANESE		Evergreens
PRINCESS TREE	MAPLE-ARMSTRONG	OAK-ENGLISH		ARBOR VITAE
RUSSIAN OLIVE	MAPLE-AUTUMN BLAZE	OAK-SHINGLE		DOUGLAS FIR
WALNUT-ANY	MAPLE-SUGAR	PERSIAN IRONWOOD		EASTERN RED CEDAR
WILLOW-SPP	OAK-BURR	YELLOWWOOD		FIR-CONDOR
	OAK-PIN			HEMLOCK-SPP
	OAK-SHINY WHITE			JUNIPER-COMMON
	OAK-SMOOTH WHITE			SPINE-AUSTRIAN
	AGODATREE			SPINE-MUGO
	PERSIMMON			SPINE-WHITE
	SWEETGUM			SPRUCE-BLUE
	SYCAMORE			SPRUCE-NOBILIS
	TULIPTREE			SPRUCE-SPP
	ZELKOVA			YEW

Approved

\* - Male Only

Do Not Plant

Plant limited quantities

Plant in abundance

Section 2. That Section 8.25.020 the Highland Municipal Code is hereby repealed in its entirety and is hereby amended with a new section to be numbered as Section 8.25.020, which shall read as follows:

**8.25.020 Establishment.**

(A) There is established a tree advisory board of the town of Highland (hereinafter the "board"). Its functions and duties are limited to those set forth in this chapter, and as may be assigned to it and set forth in any other enacted chapter of the Highland Municipal Code.

(B) Nothing in this chapter shall be construed as vesting legislative discretion or power in the board, **except as provided in Section 8.20.080 of the Highland Municipal Code, and as may be conferred herein.** The board shall:

- (1) Serve as the steward of Highland's Urban Forest Management Plan;
- (2) Serve as an advocacy and advisory group to become a catalyst for active urban forest resource management within the community;
- (3) **Create and periodically update a list of prohibited and approved tree species for private and publicly owned property that is located within the jurisdiction or the corporate boundary of the municipality. The list of approved or prohibited species most recently adopted by the Tree Board, are incorporated by reference and made a part of this code pursuant to IC 36-1-5-4, with two copies shall be on file in the Office of the Clerk-Treasurer. Further, the most recently adopted list of approved or prohibited tree species will inform the administration and enforcement executed under this chapter and Chapter 8.20 of the municipal code.**

(C) The board shall review and transmit written comments as may be desirable and as may be authorized in Chapters 18.70 and 18.95 of the Highland Municipal Code.

(D) In carrying out its purposes, the board will seek guidance from department heads, forestry consultants and contractors and use its own discretion and independent research to formulate recommendations to the town council for annual updates of the Urban Forest Management Plan.

**Section 3.** That this ordinance shall be effective from and after its passage and adoption, as evidenced by the signature of the Town Council President and attested thereto by the Clerk-Treasurer, all pursuant to IC 36-5-2-10 and IC 36-5-2-10.2.

Introduced and Filed on the 26<sup>th</sup> day of August 2019. Consideration on the same day or at same meeting of introduction was not entertained pursuant to IC 36-5-2-9.8.

**DULY ORDAINED AND ADOPTED** this 23<sup>rd</sup> day of September 2019, by the Town Council of the Town of Highland, Lake County, Indiana, having passed by a vote of 5 in favor and 0 opposed.

TOWN COUNCIL of the TOWN of  
HIGHLAND, INDIANA

/s/Steve Wagner, President (IC 36-5-2-10)

**ATTEST:**

/s/ Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO  
Clerk-Treasurer (IC 33-42-4-1; IC 36-5-6-5)

- 2. Resolution No. 2019-39:** A Resolution of the Town Council Recommending Partial Textual Amendments to the Zoning Code and Referring these to the Plan Commission for its Consideration and Favor, pursuant to IC 36-7-4-602.

Councilor Herak moved the passage and adoption of Resolution No. 2019-39. Councilor Kuiper seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The resolution was adopted.

### Highland Town Council Resolution No. 2019-39

**A Resolution of the Town Council Recommending Partial Textual Amendments to the Zoning Code and Referring these to the Plan Commission for its Consideration and Favor, pursuant to IC 36-7-4-602.**

**Whereas,** The Town Council did review and revised its Municipal Code regarding the Tree Board, which informed and recommended to its discretion some changes that would be desirable to the existing Zoning Code, particularly Chapters 19.70 and 18.95;

**Whereas,** IC 36-7-4-607(b) provides that any proposal to partially amend the text of the zoning code that is initiated by the Town Council as the municipal legislative body, must be referred to the Plan commission for consideration and recommendation before any final action is taken by the Legislative body;

**Whereas,** The Town Council as legislative body has a proposal for desirable partial textual amendments to language in chapters 18.70 and 18.95, which are parts of the zoning ordinance of the Town, that it wishes to now refer to the Highland Municipal Plan Commission,

**NOW THEREFORE BE IT RESOLVED** by the Highland Town Council as the Municipal Legislative body as follows:

**Section 1.** That the Plan Commission consider and make a recommendation to the Town Council regarding the following as amendments to Chapter 18.70 Styled as Planned Unit Development Districts as follows:

(A) That the following language in Section 18.70.040 (C)(4) of the Highland Municipal Code be amended as follows:

#### Chapter 18.70 PLANNED UNIT DEVELOPMENT DISTRICTS

##### 18.70.040 Application procedure.

(C) The planned unit development petition shall include a preliminary plan and plat for any area proposed for development. Twelve hard copies, or one digital copy each in PDF format and AutoCAD/ ArcGIS format, of said plan and plat shall be filed with the plan commission. The preliminary plan and plat shall include the following:

(4) A landscape plan, prepared by a registered landscape architect licensed to practice in the state of Indiana, showing approved and compliant landscape treatments as set forth in this title. This landscape plan shall also include details for tree preservation and removal, as required. **The tree preservation shall be reviewed by the Tree Board.**

(B) That the following language in Section 18.70.040 (D) of the Highland Municipal Code be amended as follows:

(D) The preliminary plan shall be presented to the plan commission with copies for each member thereof and additional file copies for a total of 12 copies drawn to a scale ratio not to exceed one inch equals 100 feet. The preliminary plan may include any additional graphics which will help to explain the features of the development. It shall also be provided to the following checkpoint agencies for their review and comment, **which shall be returned within a reasonable time:**

- (1) Department of public works, **which shall include distribution to the Department of Public Sanitation, the Waterworks Department, their relevant governing boards or commissions and the Tree Board.**
- (2) Police department.
- (3) Fire department.
- (4) Parks and recreation department.
- (5) **Redevelopment department**

**Section 2.** That the Plan Commission further consider and make a recommendation to the Town Council regarding the following as amendment to Chapter 18.95 Styled as *Site Plan Review* as follows:

(A) That the following new Section to be styled as Section 18.95.025 be added by amendment to Chapter 18.95 of the of the Highland Municipal Code to read as follows:

**Chapter 18.95  
SITE PLAN REVIEW**

**18.95.025 Review and consultation with Check point agencies.**

In carrying out the purposes of this chapter, the following checkpoint agencies shall be consulted regarding the relevant components of review:

- (1) Department of public works, **which shall include the Department of Public Sanitation, the Waterworks Department, their relevant governing boards or commissions and the Tree Board.**
- (2) Police department.
- (3) Fire department.
- (4) Parks and recreation department.
- (5) **Redevelopment department**

**Section 3.** That the Plan Commission further consider and make a recommendation to the Town Council regarding the following as amendment to Section 18.75.060 Styled as *Recommended and unacceptable plant lists* as follows:

**18.75.060 Recommended and unacceptable plant lists.**

(A) Canopy Trees. The recommended plant materials for canopy trees, defined as trees with mature heights greater than 50 feet, ~~are listed below,~~ **shall be in conformity with the most recently approved Trees Species List as adopted by the Tree Board,** with the following provisions:

- (1) Certain species may not be recommended from time to time due to current biological threats or other recognized industry practices.
- (2) No canopy tree shall be planted within 30 feet of any structure or overhead utility line.

<b>Botanical Name</b>	<b>Common Name</b>
<del>Acer nigrum var.</del>	<del>Black maple</del>
<del>Acer rubrum var.</del>	<del>Red maple</del>
<del>Acer saccharum var.</del>	<del>Sugar maple</del>
<del>Aesculus glabra</del>	<del>Ohio buckeye</del>
<del>Carya ovata</del>	<del>Shagbark hickory</del>
<del>Celtis occidentalis</del>	<del>Hackberry</del>
<del>Corylus colurna</del>	<del>Turkish filbert</del>
<del>Ginkgo biloba (male only)</del>	<del>Maidenhair tree</del>
<del>Gleditsia triacanthos inermis var.</del>	<del>Thornless honeylocust</del>
<del>Gymnocladus dioica</del>	<del>Kentucky coffeetree</del>
<del>Juglans nigra</del>	<del>Walnut</del>
<del>Liriodendron tulipifera</del>	<del>Tuliptree</del>
<del>Ostrya virginiana</del>	<del>Ironwood</del>
<del>Plantanus acerifolia or occidentalis</del>	<del>London planetree, sycamore</del>
<del>Populus tremuloides</del>	<del>Quaking aspen</del>

**Table 8 – Recommended Plant Materials for Canopy Trees**

Botanical Name	Common Name
<i>Prunus serotina</i>	Black cherry
<i>Pyrus calleryana</i>	Callery pear
<i>Quercus alba</i>	White oak
<i>Quercus bicolor</i>	Swamp white oak
<i>Quercus coccinea</i>	Scarlet oak
<i>Quercus imbricaria</i>	Shingle oak
<i>Quercus macrocarpa</i>	Bur oak
<i>Quercus muhlenbergii</i>	Chickapin oak
<i>Quercus robur</i>	English oak
<i>Quercus rubra</i>	Red oak
<i>Quercus velutina</i>	Black oak
<i>Syringa reticulata</i>	Japanese tree lilac
<i>Taxodium distichum</i>	Bald cypress
<i>Tilia americana</i>	American linden
<i>Tilia cordata</i> var.	Littleleaf linden
<i>Tilia europaea</i>	European linden
<i>Tilia vulgaris</i>	Common linden
<i>Tilia tomentosa</i>	Sterling silver linden
<i>Ulmus</i> var.	Elm (newer hybrids)
<i>Zelkova serrata</i>	Japanese zelkova

(B) Understory Trees. The recommended plant materials for understory trees, defined as trees with mature heights less than 10 feet, are listed below, shall be in conformity with the most recently approved Trees Species List as adopted by the Tree Board with the following provisions:

- (1) Certain species may not be recommended from time to time due to current biological threats or other recognized industry practices.
- (2) No understory tree shall be planted within 30 feet of any structure or overhead utility line.

**Table 9 – Recommended Plant Materials for Understory Trees**

Botanical Name	Common Name
<i>Alnus glutinosa</i>	European black alder
<i>Amelanchier arborea</i>	Downy serviceberry
<i>Amelanchier canadensis</i>	Shadblow serviceberry
<i>Amelanchier grandiflora</i>	Apple serviceberry
<i>Amelanchier laevis</i>	Allegheny serviceberry
<i>Amelanchier sanguinea</i>	Juneberry
<i>Betula nigra</i> var.	River birch
<i>Betula platyphillis japonicum</i>	Whitespire birch
<i>Carpinus carolina</i>	American hornbeam
<i>Cercis canadensis</i>	Eastern redbud
<i>Corylus cornuta</i>	Hazelnut
<i>Crataegus crusgalli inermis</i>	Thornless cockspur hawthorn
<i>Crataegus phaenopyrum</i>	Washington hawthorn
<i>Crataegus viridis</i>	Winter King hawthorn
<i>Hamamelis virginiana</i>	Common witch hazel
<i>Magnolia x loebneri</i> "Merrill"	Merrill Loebner magnolia
<i>Magnolia x soulangeana</i>	Saucer magnolia
<i>Magnolia stellata</i>	Star magnolia
<i>Malus</i> "prairifire"	Prairiefire crab
<i>Malus</i> "red jewel"	Red jewel crab
<i>Pyrus calleryana</i> "Chanticleer"	Chanticleer pear
<i>Syringa reticulata</i>	Japanese tree lilac

(C) Street Trees. The recommended plant materials for street trees, defined as trees with mature heights between 30 and 50 feet, are listed below, shall be in conformity with the most recently approved Trees Species List as adopted by the Tree Board with the following provisions:

- (1) Certain species may not be recommended from time to time due to current biological threats or other recognized industry practices.
- (2) No street tree shall be planted within 10 feet of any structure or overhead utility line.

Table 10—Recommended Plant Materials for Street Trees-

Botanical Name	Common Name
<i>Acer x freemanii</i>	Autumn blaze or marmo
<i>Acer pseudoplatanus</i>	Sycamore maple
<i>Acer saccharum</i>	Sugar maple
<i>Aesculus hippocastanum</i>	Horse chestnut
<i>Amelanchier</i> sp.	Serviceberry
<i>Carpinus caroliniana</i>	American hornbeam
<i>Carya ovata</i>	Shagbark hickory
<i>Celtis occidentalis</i>	Hackberry
<i>Cercidiphyllum japonicum</i>	Katsura tree
<i>Cladrastis kentuckea</i>	Yellowwood
<i>Ginkgo biloba</i>	Ginkgo (male only)
<i>Gleditsia triacanthos inermis</i> var.	Thornless honeylocust
<i>Gymnocladus dioicus</i>	Kentucky coffeetree
<i>Ostrya virginiana</i>	Ironwood
<i>Pyrus calleryana</i> "Chanticleer"	Chanticleer pear
<i>Quercus alba</i>	White oak
<i>Quercus bicolor</i>	Swamp white oak
<i>Quercus coccinea</i>	Scarlet oak
<i>Quercus velutina</i>	Black oak
<i>Tilia americana</i>	American linden
<i>Tilia x euchlora</i> "Redmond"	Redmond linden
<i>Tilia tomentosa</i>	Sterling silver linden
<i>Zelkova serrata</i>	Japanese zelkova

(D) Large Evergreen Trees. The recommended plant materials for large evergreen trees, defined as trees with mature heights greater than 30 feet, are listed below, shall be in conformity with the most recently approved Trees Species List as adopted by the Tree Board with the following provisions:

- (1) Certain species may not be recommended from time to time due to current biological threats or other recognized industry practices.
- (2) No large evergreen tree shall be planted within 30 feet of any structure or overhead utility line.

Table 11 – Recommended Plant Materials for Large Evergreen Trees-

Botanical Name	Common Name
<i>Abies concolor</i>	White fir
<i>Juniperus virginiana</i>	Eastern red cedar
<i>Picea abies</i>	Norway spruce
<i>Picea glauca</i>	White spruce
<i>Picea omorika</i>	Serbian spruce
<i>Picea pungens</i>	Colorado green spruce
<i>Picea p.</i> "Glauca"	Colorado blue spruce
<i>Pinus flexilis</i>	Limber pine
<i>Pinus ponderosa</i>	Ponderosa pine
<i>Pinus strobus</i>	Eastern white pine
<i>Pinus sylvestris</i>	Scotch pine
<i>Pseudotsuga menziesii</i>	Douglas fir
<i>Tsuga canadensis</i>	Canadian hemlock

(E) Small Evergreen Trees. The recommended plant materials for small evergreen trees, defined as trees with mature heights less than 30 feet, ~~are listed below~~, shall be in conformity with the most recently approved Trees Species List as adopted by the Tree Board with the following provisions:

- (1) Certain species may not be recommended from time to time due to current biological threats or other recognized industry practices.
- (2) No small evergreen tree shall be planted within 10 feet of any structure or overhead utility line.

Table 12—Recommended Plant Materials for Small Evergreen Trees

Botanical Name	Common Name
<i>Abies koreana</i>	Korean fir
<i>Ilex opaca</i>	American holly
<i>Ilex pedunculosa</i>	Longstalk holly
<i>Juniperus chinensis</i> "Fairview"	Fairview Chinese juniper
<i>Picea glauca</i> "Densata"	Black hills spruce
<i>Pinus virginiana</i>	Virginia pine

(F) Shrubs. The recommended plant materials for shrubs ~~are listed below~~ shall be in conformity with the most recently approved Trees Species List as adopted by the Tree Board with the provision that certain species may not be recommended from time to time due to current biological threats or other recognized industry practices.

Table 13—Recommended Plant Materials for Shrubs

Botanical Name	Common Name
<i>Chaenomeles speciosa</i>	Flowering quince
<i>Forsythia</i> spp.	Forsythia
<i>Hamamelis virginiana</i>	Witch hazel
<i>Hydrangea arborescens</i>	Smooth hydrangea
<i>Hydrangea quercifolia</i>	Oak leaf hydrangea
<i>Itea virginica</i>	Virginia sweetspire
<i>Juniperus</i> various	Juniper
<i>Myrica pensylvanica</i>	Bayberry
<i>Philadelphus</i>	Mock orange
<i>Photinia aronia</i>	Chokeberry
<i>Rhus aromatica</i>	Dwarf fragrant sumac
<i>Rhus glabra</i>	Smooth sumac
<i>Rosa rugosa</i>	Rugose or Japanese rose
<i>Spiraea</i> various	Spiraea
<i>Syringa</i> spp.	Lilac
<i>Taxus</i> spp.	Yew
<i>Viburnum</i> spp.	Viburnum

(G) Preservation Trees. The recommended plant materials for preservation trees ~~are listed below~~, shall be in conformity with the most recently approved Trees Species List as adopted by the Tree Board with the provision that certain species may not be recommended from time to time due to current biological threats or other recognized industry practices.

Table 14—Recommended Plant Materials for Preservation Trees

Botanical Name	Common Name
<i>Aesculus</i> species	Buckeye/horse chestnut
<i>Acer rubrum</i>	Red maple
<i>Acer saccharum</i>	Sugar maple
<i>Carpinus caroliniana</i>	Blue beech
<i>Carya</i> var.	Hickory
<i>Celtis occidentalis</i>	Hackberry
<i>Gymnocladus dioica</i>	Kentucky coffeetree
<i>Juglans nigra</i>	Walnut
<i>Ostrya virginiana</i>	Ironwood
<i>Platanus occidentalis</i>	Sycamore
<i>Quercus</i> (all except <i>palustris</i> )	Oaks (all except pin oak)

Table 14 – Recommended Plant Materials for Preservation Trees-

Botanical Name	Common Name
Taxodium distichum	Bald cypress
Tilia americana	American linden

(H) Storm Water Detention/ Retention Trees. The recommended plant materials for detention and retention ponds are listed below, shall be in conformity with the most recently approved Trees Species List as adopted by the Tree Board with the provision that certain species may not be recommended from time to time due to current biological threats or other recognized industry practices.

Table 15 – Recommended Plant Materials for Detention Ponds

Botanical Name	Common Name
Acer rubrum	Red maple
Acer saccharum	Sugar maple
Alnus glutinosa	European alder
Alnus rugosa	Speckled alder (native)
Betula nigra	River birch
Carpinus caroliniana	Blue beech
Carya ovata	Shagbark hickory
Crataegus crus-galli inermis	Thornless hawthorn
Gymnocladus dioica	Kentucky coffeetree
Juglans nigra	Black walnut
Platanus occidentalis	Sycamore
Quercus bicolor	Swamp white oak
Quercus rubra	Red oak
Taxodium distichum	Bald cypress

(I) Unacceptable Trees and Shrubs. Unacceptable plant materials are listed below shall be in conformity with the most recently approved Trees Species List as adopted by the Tree Board.

Table 16 – Unacceptable Trees and Shrubs-

Botanical Name	Common Name
Acer negundo	Box elder
Acer platanoides	Norway maple
Acer saccharinum	Silver maple
Ailanthus altissima	Tree of heaven
Betula papyrifera	White paper birch
Elaeagnus angustifolia	Russian olive
Frangula alnus	Glossy buckthorn
Fraxinus spp.	Ash
Ginkgo biloba (female)	Female ginkgo
Koelreuteria bipinnata	Golden rain tree
Lonicera spp.	Honeysuckle
Maclura pomifera	Osage orange, hedge apple
Malus spp.	Apples, crabapples (unless otherwise noted)
Morus spp.	Mulberry
Pinus nigra	Austrian pine
Phellodendron amurense	Corktree
Populus spp.	Poplars, cottonwoods
Prunus spp.	Cherries, plums
Pyrus calleryana "Bradford"	Bradford pear
Quercus acutissima	Sawtooth oak
Quercus palustris	Pin oak
Robinia pseudoacacia	Black locust
Rhamnus spp.	Buckthorn

Table 16 – Unacceptable Trees and Shrubs	
Botanical Name	Common Name
Salix spp.	Willows
Sorbus spp.	Mountain ash
Ulmus spp.	Elms (unless otherwise noted)

(J) Invasive Species. Plant materials identified as invasive species in Indiana are listed below shall be in conformity with the most recently approved Trees Species List as adopted by the Tree Board.

Table 17 – Invasive Plant Species	
Botanical Name	Common Name
Acer platanoides	Norway maple
Ailanthus altissima	Tree of heaven
Alliaria petiolata	Garlic mustard
Alnus glutinosa	Black alder
Bromus inermis	Smooth brome
Cirsium arvense	Canada thistle
Euonymus alatus	Winged burning bush
Elaeagnus umbellata	Autumn olive
Euonymus fortunei	Purple winter creeper
Festuca elatior	Tall fescue
Glechoma hederacea	Creeping Charlie
Hesperis matronalis	Dame's rocket
Humulus japonicus	Japanese hops
Lespedeza bicolor	Bicolor lespedeza
Lespedeza cuneata	Sericea lespedeza
Ligustrum vulgare	Common privet
Lonicera spp.	Bush honeysuckle
Lysimachia nummularia	Creeping Jenny
Lythrum salicaria L.	Purple loosestrife
Melilotus alba and M. officinalis	Sweet clover
Microstegium vimineum	Japanese stilt grass
Miscanthus sinensis	Maiden grass
Morus alba	White mulberry
Ornithogalum umbellatum	Star of Bethlehem
Phalaris arundinacea	Reed canary grass
Phragmites australis	Common reed grass
Polygonum cuspidatum	Japanese knotweed
Pueraria spp.	Kudzu
Robinia pseudoacacia	Black locust
Rosa multiflora	Multiflora rose
Viburnum opulus v. opulus	Highbush cranberry
Vinca minor	Periwinkle

**Section 4.** That pursuant to IC 36-7-4-607, upon receipt of this proposal, the Plan Commission shall within sixty (60) days hold a public hearing in accordance with IC 36-7-4-604, and that within ten (10) business days after the Plan Commission determines its recommendation if any shall certify the proposal to the Town Council for its consideration and action.

**Section 5.** That the Clerk-Treasurer shall transmit a fully executed resolution to the Plan Commission to evidence its adoption by the Town of Highland and for the Plan Commission's consideration.

**DULY RESOLVED and ADOPTED** this 23<sup>rd</sup> Day of September 2019 by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 5 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of  
HIGHLAND, INDIANA**

/s/ Steven Wagner, President (IC 36-5-2-10)

Attest:

/s/Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO  
Clerk-Treasurer (IC 33-42-4-1; IC 36-5-6-5)

3. **Resolution No. 2019-38:** A Resolution Expressing the Interest of the Town Council in Possibly Acquiring Real Property located at 10040 Kennedy Avenue, 10030 Kennedy Avenue, 10104 Kennedy Avenue, Highland, Authorizing Appraisal of the Property, all Pursuant to IC 36-1-10.5 et seq.

Councilor Herak moved the passage and adoption of Resolution No. 2019-39. Councilor Kuiper seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The resolution was adopted.

**Town of Highland**  
**Resolution No. 2019-38**

**A RESOLUTION EXPRESSING THE INTEREST OF THE TOWN COUNCIL IN POSSIBLY ACQUIRING REAL PROPERTY LOCATED AT 10030 & 10040 KENNEDY AVENUE, AND 10104 KENNEDY AVENUE, HIGHLAND, INDIANA AUTHORIZING APPRAISAL OF THE PROPERTY, ALL PURSUANT TO IC 36-1-10.5 ET SEQ.**

**Whereas,** The Town Council for the Town of Highland is the Legislative and Fiscal Body of the Municipality pursuant to IC 36-1-2 et seq., and

**Whereas,** The Town Council is reliably advised that the Redevelopment Plan of the Town of Highland includes a plan to relocate the public works facility and adjoining facilities;

**Whereas,** The Town Council for the Town of Highland is now interested in acquiring certain real estate, more commonly known as 10030 and 10040 Kennedy Avenue, and 10104 Kennedy Avenue, Highland, Indiana, in order to possibly support the relocation of the public works facility and adjoining facilities;

**Whereas,** IC 36-1-10.5-5, states that the Fiscal Body of the Town of Highland shall pass a resolution to the effect that it is interested in making a purchase of specified land or a structure; and,

**Whereas,** The Town Council now desires to express its interest to purchase said real property and to direct the purchasing agent to engage two licensed appraisers,

**Now Therefore Be it Resolved** by the Town Council of the Town of Highland, Lake County, Indiana;

**Section 1.** That the Town Council hereby expresses its interest to purchase real property located at 10030 and 10040 Kennedy Avenue, Highland, Indiana, and 10104 Kennedy Avenue, Highland, Indiana, pursuant to IC 36-1-10.5-5(1);

**Section 2.** That the Town Council hereby directs and instructs the Public Works Director, as purchasing agent as follows:

(A) That the proper officer or purchasing agent shall appoint two (2) appraisers to appraise the fair market value of the land or structure. The appraisers must be professionally engaged in making appraisals or be trained as an appraiser and licensed as a broker under IC 25-34.1;

(B) That the proper officer or purchasing agent shall direct the appraisers to return their separate appraisals to the purchasing agent within thirty (30) days after the date of their appointment;

(C) That the proper officer or purchasing agent shall perform the specified tasks outlined in IC 36-1-10.5-5 (3) and (4);

(D) That the proper officer or purchasing agent shall be authorized to make an offer for the purchase of the appraised properties, subject to the constraints of I.C. 36-1-10.5-6.

**Section 3.** That the Municipal Fiscal Officer is hereby authorized to expend Town funds to pay for said appraisals.

**DULY, PASSED AND ADOPTED** by the Town Council of the Town of Highland, Lake County, Indiana this 23<sup>rd</sup> day of September 2019 having passed by a vote 5 of in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of  
HIGHLAND, INDIANA**

Steven Wagner, President (IC 36-5-2-10)

Attest:

Michael W. Griffin, IAMC/MMC/CFPA/CPFIM/CMO  
Clerk-Treasurer (IC 33-42-4-1;IC 36-5-6-5)

4. **Works Board 2019-26:** An Order of the Works Board Authorizing and approving an Offer and purchase agreement and price for the property at 10030 Kennedy Avenue, 10040 Kennedy Avenue, and 10104 Kennedy Avenue, Highland, all pursuant to IC 36-1-4-5 and IC 36-1-10.5-5.

Councilor Kuiper moved the passage and adoption of Works Board Order No. 2019-26. Councilor Zemen seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The order was adopted.

**Town of Highland  
Board of Works  
Order of the Works Board 2019-26**

**An Order of the Works Board Authorizing and approving an Offer and purchase agreement and price for the property at 10030 and 10040 Kennedy Avenue, Highland, Indiana, and 10104 Kennedy Avenue, Highland, all pursuant to IC 36-1-4-5 and IC 36-1-10.5-5.**

**Whereas,** The Town Council as the fiscal body and purchasing agency for the Municipal Corporation did pass and adopt **Resolution No. 2019-38** at its meeting of September 23, 2019, in which it expressed interest in the possible acquisition of Highland properties located at 10030 and 10040 Kennedy Avenue, and 10104 Kennedy Avenue, and instructed the Public Works Director to acquire two appraisals of the properties pursuant to IC 36-1-10.5-5 et seq;

**Whereas,** Pursuant to the foregoing, the Public Works Director engaged the appraisal services of Bochnowski Appraisal Company and Calumet Commercial Appraisals, Inc., both who are professionally engaged in making appraisals or are trained as an appraiser and licensed as a broker under IC 25-34.1, to appraise the fair market value of the property located at 10030 and 10040 Kennedy Avenue, Highland, Indiana, and 10104 Kennedy Avenue, Highland, Indiana;

**Whereas,** Bochnowski Appraisal Company (Appraiser 1) and Calumet Commercial Appraisals, Inc. (Appraiser 2) have prepared and submitted written appraisals for the properties located at 10030 and 10040 Kennedy Avenue, Highland, Indiana, and 10104 Kennedy Avenue, Highland, Indiana and have determined the fair market value as follows:

<u>Location</u>	<u>Appraiser 1</u>	<u>Appraiser 2</u>	<u>Average</u>
10030 and 10040 Kennedy Avenue	\$421,000.00	\$ 440,000.00	\$430,500.00
10104 Kennedy Avenue	\$219,000.00	\$225,000.00	\$222,000.00

**Whereas,** The purchasing agent or proper officer, did make offers to the owners of the properties identified;

**Whereas,** The purchasing agent has prepared real estate purchase agreements in support of the offer made by the Town Council President for consideration by the sellers; and,

**Whereas,** The Town Council as the Works Board of the Municipality, pursuant to Section 305.030(A) & (B)s of the HMC serves as purchasing agency for the Municipal Corporation;

**Whereas,** The purchase price exceeds \$15,000.00 and, pursuant to Section 3.05.050(B)(3) of the HMC requires the express approval of the purchasing agency;

**Whereas,** The source of funding and the manner of financing have yet to be determined so there is at present no sufficient appropriation in order to support the purchase; and

**Whereas,** The Town Council now desires to approve acquisition of the property described herein and authorize the proper officers to complete the purchase pursuant to the terms stated herein,

**Now Therefore,** be it so ordered by the Town Council of the Town of Highland, Lake County, Indiana as follows:

**Section 1.** That the purchase of the property located at **10104 Kennedy Avenue, Highland**, for a purchase price of **\$222,000.00** is authorized and approved contingent upon appropriations being properly adopted and funded;

**Section 2.** That the purchase of the property located at **10030 and 10040 Kennedy Avenue, Highland**, for a purchase price of **\$415,000.00** is authorized and approved contingent upon appropriations being properly adopted and funded;

**Section 3.** That the real estate purchase agreement(s) presented as exhibit(s) to this works board order are hereby approved in all respects, contingent upon execution by the parties, and upon appropriations being properly adopted and funded, and subject to the laws of the state of Indiana and the ordinances of the Town of Highland;

**Section 4.** That the proper officers of the municipality are hereby authorized to execute all documents necessary to implement the purchase of the property subject to the contingencies herein provided;

**Section 5.** That the Municipal Fiscal Officer and the Town Council attorney are hereby authorized to take the necessary measures to identify and secure the most optimum manner of financing for the purchase of the property subject to the constraints of current financial circumstances and financing environment, to carry-out the purchase of this property.

**Be it So Ordered.**

Duly, Passed and Adopted by the Town Council of the Town of Highland, Lake County, Indiana this 23<sup>rd</sup> day of September 2019 having passed by a vote of 5 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of  
HIGHLAND, INDIANA**

/s/Steven Wagner, President (IC 36-5-2-10)

Attest:

/s/Michael W. Griffin, **IAMC/MMC/CFPA/CPFIM/CMO**  
Clerk-Treasurer (IC 33-42-4-1;IC 36-5-6-5)

- 5. Works Board 2019-27:** An Order of the Works Board Authorizing and Approving the Restoration and Restoration Costs for Repairs and Equipment Procurement from Lindco Equipment Sales, Inc. for Public Works Vehicle No. 19, a 2001 GMC C8500 Single-Axle Dump Truck in the amount of \$63,598.00, as a Special Purchase all Pursuant to §3.05.065(F) of the Highland Municipal Code and I.C. 5-22-10-5.

Councilor Herak moved the passage and adoption of Works Board Order 2019-27. Councilor Vassar seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The order was adopted.

**Town of Highland  
Board of Works  
Order of the Works No. 2019-27**

**AN ORDER OF THE WORKS BOARD AUTHORIZING AND APPROVING THE RESTORATION AND RESTORATION COSTS FOR REPAIRS AND EQUIPMENT PROCUREMENT FROM LINDCO EQUIPMENT SALES, INC. FOR PUBLIC WORKS VEHICLE NO. 19, A 2001 GMC C8500 SINGLE-AXLE DUMP TRUCK IN THE AMOUNT OF \$63,598.00, AS A SPECIAL PURCHASE ALL PURSUANT TO §3.05.065(F) OF THE HIGHLAND MUNICIPAL CODE AND I.C. 5-22-10-5**

**Whereas,** The Department of Public Works (Department) has in its fleet a 2001 GMC C8500 Single-Axle Dump Truck, which is used to carry out the various functions of the Department, including snow removal, street division functions, and water and sewer division functions;

**Whereas,** The Fleet Supervisor and Operations Director had determined that the cab, chassis and drive train were in very good condition; however, the dump body and integrated salt spreader, and snow plow (Equipment) had reached its useful life;

**Whereas,** The Fleet Supervisor and Operations Director recommended to purchase the Equipment from Lindco Equipment Sales, Incorporated (Lindco), pursuant to **Section 3.05.065 (F)** of the Highland Municipal Code because of the compatibility of the equipment, accessories, and replacement parts consistent with other trucks and equipment in the public works fleet;

**Whereas,** The Public Works Director, pursuant to §3.05.050(D)(7) of the HMC, serves as the Purchasing Agent for the Department of Public Works;

**Whereas,** Section 3.05.065 (F) of the HMC provides that the purchasing agent may make a special purchase when: (1) the compatibility of equipment, accessories, or replacement parts is a substantial consideration in the purchase; and (2) only one source meets the using agency's reasonable requirements;

**Whereas**, Lindco provided a quote for the one (1) dump body, one (1) snow plow, and one (1) salt spreader, including installation and other ancillary equipment in the amount of Sixty-three Thousand Five Hundred Ninety-eight and no cents (\$63,598.00);

**Whereas**, The Town Council, as Board of Works of the town of Highland, pursuant to Section 3.05.030 (A) of the HMC serves as purchasing agency for the Public Sanitation Department;

**Whereas**, The purchase price exceeds \$15,000.00 and, pursuant to §3.05.040(C) of the HMC requires the express approval of the purchasing agencies;

**Whereas**, The purchase will be supported by the Motor Vehicle Highway Fund, Sewer Improvement Fund, and the Water Improvement Fund and there is sufficient appropriation in order to support the purchase; and

**Whereas**, The Board of Works now desire to approve and authorize the Public Works Director to complete the purchase pursuant to the terms stated herein,

**Now, Therefore Be it Hereby Resolved**, by the Board of Works of the Town of Highland, Lake County, Indiana:

**Section 1.** That the proposal (attached hereto and made part of this Resolution) from Lindco Equipment Sales, Inc. in the amount of **Sixty-three Thousand Five Hundred Ninety-eight and no cents (\$63,598.00)** for the Special Purchase of equipment necessary to restore **PUBLIC WORKS VEHICLE NO. 19, A 2001 GMC C8500 SINGLE-AXLE DUMP TRUCK**, including **one (1) dump body, one (1) snow plow, and one (1) salt spreader, including installation and other ancillary equipment** ;

**Section 2.** That the Public Works Director is hereby authorized to issue a purchase order to Lindco Equipment Sales, Inc. and to execute all documents necessary to implement the purchase thereof.

**Be it So Ordered.**

**Duly, Passed and Adopted** by the Town Council of the Town of Highland, Lake County, Indiana Acting as the Works Board, this 23<sup>rd</sup> day of September 2019 having passed by a vote of 5 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of  
HIGHLAND, INDIANA**

/s/ Steven Wagner, President (IC 36-5-2-10)

Attest:

/s/ Michael W. Griffin, **IAMC/MMC/CFPA/CPFIM/CMO**  
Clerk-Treasurer (IC 33-42-4-1; IC 36-5-6-5)

6. **Commendation Letter for Day Off and Signature Authorization.** Action to approve Letters of Commendation for exemplary public service leading to the award of a single paid day off for several workers in the **Metropolitan Police Department**. Pursuant to **Section 4.13** of the Compensation and Benefits Ordinance, for the day off to be effective requires the approval of the board of jurisdiction and the Town Council. The Town Board of Metropolitan Police Commissioners has granted preliminary approval to several letters of commendation regarding the detective who acted in a matter that was extraordinary. Action should include approval for the members of the Town Council to sign the letters of commendation.

*The Police Chief and the Town Board of Metropolitan Police Commissioners are asking for approval of a letter of commendation for exemplary actions taken in the line of duty for **Detective Jason Hildenbrand**.*

With leave from the Town Council, Councilor Zemen read aloud the letter from Ramona Griffin, that communicated the life-saving incident for which Officer Hildenbrand was recommended for exemplary actions and to which she expressed her great thanks. *(Mrs. Griffin's husband suffered a heart attack and Officer Hildenbrand administered CPR until the EMT staff arrived.)*

Councilor Herak moved the approval of the letter of commendation, and to authorize each councilor individually and severally to sign the letter once approved. Councilor Vassar seconded. Upon a roll call vote, there were five affirmatives and no negatives.

7. **Special Meeting.** Authorize the proper officer to ordinary notice of a public special meeting, pursuant to Section 2.05.030(A)(4) & (F).

Councilor Herak moved to authorize the ordinary notice for the special meeting of September 30, 2019 at 6:45 p.m., to be published according to the Open Meeting Act. Councilor Vassar seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The special meeting and its notice was approved.

**Comments or Remarks from the Town Council:**  
(For the Good of the Order)

- **Councilor Bernie Zemen:** *Chamber of Commerce Co-Liaison • IT Liaison • Liaison to the Board of Waterworks Directors • Liaison to the Community Events Commission.*

Councilor Zemen acknowledged the Building Commissioner who offered a survey of the Plan Commission matters that were pending, including that the a Russell Development senior living facility sought a continuance.

Councilor Zemen acknowledged the Redevelopment Director who offered an overview of redevelopment matters.

Councilor Zemen reminded people of the Fall Festival to be conducted by the Community Events Commission, on Friday, Saturday and Sunday, September 27-29, 2019.

**Councilor Dan Vassar:** *Liaison to the Park and Recreation Board.*

Councilor Vassar noted the several students in the audience, who were identified as Munster High School government students meeting class requirements.

Councilor Vassar acknowledged the Parks and Recreation Superintendent offered a survey of the parks and recreation programs underway and a brief survey of the status Park equipment replacements.

Councilor Vassar noted he would be absent at the October 7, 2019 study session owing to a family vacation.

- **Councilor Mark Herak:** *Budget and Finance Chair • Liaison to the Board of Sanitary Commissioners • Town Board of Metropolitan Police Commissioners, Liaison.*

Councilor Herak noted the birthdays of Robin Carlascio of Idea Factory and John M. Bach, the Public Works Director.

Councilor Herak acknowledged the Police Chief who reported on a survey of police department matters.

Councilor Herak acknowledged the Public Works Director who reported on public works matters.

- **Councilor Konnie Kuiper:** *Fire Department, Liaison • Chamber of Commerce Co-Liaison.*

Councilor Kuiper acknowledged the Fire Chief who again reported that the Fire Department Open House will take place on October 5.

- **Councilor President Steve Wagner:** *Town Executive • Chair of the Board of Police Pension Trustees • Advisory Board of Zoning Appeals Liaison.*

The Council President acknowledged the Building Commissioner who reported no new BZA matters.

**Comments from Visitors or Residents:**

1. Mr. Ron Jackowski, 3105 Strong Street, Highland, spoke about the value of the Tree Board and asked for clarification regarding the language pertaining to the jurisdiction of the Tree Board over tree species lists. It was noted that Town Council passed and adopted Resolution No. 2019-39, which will be taken up by the Plan Commission as required regarding some updates to existing language and the like.
2. Larry Kondrat, 8115 4<sup>th</sup> East Place, Highland, asked whether a so-called gag order had been given to the developer (Russell) for a proposed senior living facility regarding its plans for the development. He was advised that there was no such action.

Mr. Kondrat further asked about the total value of the economic incentives to be given to the developer (Russell) as part of the project, including the improvement and conversion to a public way of the private drive now known as Ernie Strack Drive. It was noted that the final number has yet to be determined.

Mr. Kondrat asked about the nature of enforcement of the current drainage code particularly with the Hillside Funeral Home and the Highland School Town. It was noted that Hillside was in compliance and the matter regarding the artificial football field surface was still being reviewed for a solution.

Finally, Mr. Kondrat asked about any dinners that he may have enjoyed when he traveled to Iowa to review examples of other senior living facilities constructed by Russell Developments.

3. Brandon Bontrager, 8021 Glenwood Street, referring the NIPSCO transition from unclean energy generation, Mr. Bontrager encouraged the Town Council to be ready for its impact on the energy use by the Town. He further asked whether the Town was incorporating clean energy requirements for new development.
4. Michael Lemmer, 9019 Pettit Street, Highland, identified himself as a relatively new resident. He was sought more information regarding the imminent municipal election.
5. Michael Schmidt, 8316 Fifth Street, Highland, raised with the Town Council a building code enforcement matter regarding his desire to remove his existing fence and its replacement. He further commented unfavorably on the amount and number of fees he was required pay as part of the zoning and building code regulatory process.
6. Amber Smith, 3515 Garfield Street, Highland, asked for the rationale informing the proposed relocation of the Public Works Facility. Ms. Smith also asked whether there were any plans to relocate the adult softball fields as well.

She was advised that the possible relocation of the public works facility was a part of the redevelopment plan for north Kennedy Avenue. She was further advised that no plans for the softball fields have been determined.

With leave from the Town Council, Councilor Zemen spoke to the matter of his visit to Iowa to review examples of similar senior housing developments. He characterized the

visit as taken to gather facts and personally see the type of structures proposed for development.

**Payment of Accounts Payable Vouchers.** There being no further comments from the public, Councilor Vassar moved to allow the vendors accounts payable vouchers as filed on the pending accounts payable docket, covering the period September 10, 2019 through September 23, 2019 and to ratify the payroll docket for the payday of August 30, 2019. Councilor Kuiper seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The accounts payable vouchers for the vendor docket were allowed, payments allowed in advance were ratified, and for all remaining invoices, the Clerk-Treasurer was authorized to make payment.

**Vendors Accounts Payable Docket:**

**General Fund, \$226,639.55; Motor Vehicle Highway and Street (MVH) Fund, \$10,739.97; Local Road and Street Fund, \$12,848.53; Federal Forfeited and Seized Assets Fund, \$2,000.00; Law Enforcement Continuing Education and Training and Supply Fund, \$5,760.03; Information Communications Technology Fund, \$10,386.12; Solid Waste District Grant Fund, \$3,249.84; Municipal Cumulative Capital Development Fund, \$3,844.00; Traffic Violations and Law Enforcement Agency Fund, \$6,000.00; Gaming Revenue Sharing Fund, \$11,961.34; Special Community Crossings Grant Fund, \$446,484.86 Public Safety Local Income Tax Fund, \$28,849.00; Total: \$768,763.24**

**Payroll Docket for payday of August 30, 2019:**

**Council, Boards and Commissions, \$8,440.06; Office of Clerk-Treasurer, \$16,557.15 Building and Inspection Department, \$8,700.11; Metropolitan Police Department, \$116,719.79; Fire Department, \$3,837.36; Public Works Department (Agency), \$65,977.60; and Police Pension, \$69,593.17. Total Payroll: \$289,825.24.**

**Adjournment of Plenary Meeting.** Councilor Vassar moved that the plenary meeting be adjourned. Councilor Kuiper seconded. Upon a vote *viva voce*, the motion passed. The regular plenary meeting of the Town Council of Monday, September 23, 2019 was adjourned at 7:46 O'clock p.m.

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO  
Clerk-Treasurer

Approved by the Town Council at its meeting of \_\_\_\_\_, 2019.

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO  
Clerk-Treasurer